



40A COPE STREET, LANE COVE

Heritage Impact Statement

DA SUBMISSION

June 2023

40A COPE STREET, LANE COVE

Heritage Impact Statement

DA SUBMISSION

Prepared by
Umwelt (Australia) Pty Limited
on behalf of
Retire Australia

Project Director: Tim Adams
Project Manager: Brad Vale
Technical Director:
Technical Manager:
Report No. 1
Date: June 2023



North Sydney Office



This report was prepared using
Umwelt's ISO 9001 certified
Quality Management System.

Disclaimer

This document has been prepared for the sole use of the authorised recipient and this document may not be used, copied or reproduced in whole or part for any purpose other than that for which it was supplied by Umwelt (Australia) Pty Ltd (Umwelt). No other party should rely on this document without the prior written consent of Umwelt.

Umwelt undertakes no duty, nor accepts any responsibility, to any third party who may rely upon or use this document. Umwelt assumes no liability to a third party for any inaccuracies in or omissions to that information. Where this document indicates that information has been provided by third parties, Umwelt has made no independent verification of this information except as expressly stated.

©Umwelt (Australia) Pty Ltd

Document Status

Rev No.	Reviewer		Approved for Issue	
	Name	Date	Name	Date
4			Brad Vale	2 June 2023
3			Brad Vale	2 June 2023
2			Brad Vale	17 August 2022
1			Brad Vale	22 July 2022

Table of Contents

1.0	Introduction	6
1.1	Background	6
1.2	Methodology	6
1.3	Site Location	6
1.4	Authorship	8
1.5	Limitations	8
1.6	Copyright	8
2.0	Documentary Evidence	9
2.1	Pre-European History	9
2.2	Development of Lane Cove	9
2.3	History of the Subject Site	11
3.0	Physical Evidence	18
3.1	Site Context	18
3.2	Description of the Significant Wall and Site	20
3.3	Views	21
4.0	Statutory Heritage Status	22
4.1	Heritage Status	22
4.2	Significance of the Subject Site	23
5.0	The Proposal	24
5.1	Documentation Evaluated	25
6.0	Assessment of Heritage Impact	26
6.1	Introduction	26
6.2	Evaluation of the Guidelines of the NSW Heritage Division	26
6.2.1	New Development Adjacent to a Heritage Item (Including Additional Buildings and Dual Occupancies)	27
6.2.2	New Landscape Works and Features (Including Carparks and Fences)	28
6.2.3	Tree Removal or Replacement	29
6.3	Heritage Objectives of the Lane Cove LEP 2009	29
6.4	<i>Heritage Guidelines of the Lane Cove DCP 2009</i>	29
6.4.1	General Heritage Provisions	29
7.0	Recommendations and Conclusion	32
7.1	Recommendations	32

Figures

Figure 1.1 The site location is outlined in blue by Umwelt	7
Figure 1.2 aerial photograph showing the subject site outlined in blue by Umwelt	7
Figure 2.1 The dairy home of Elijah Charlish Jnr at 125 Centennial Avenue.	10
Figure 2.2 A view of the outside of the Radke tannery belt shop, undated photograph.	10
Figure 2.3 Front garden of 'Mountain View', the family home of John Charles Ludowici,	12
Figure 2.4 Block plan contained in the Certificate of Title issued to Charles Ludowici in 1921	12
Figure 2.5 portrait of Charles Ludowici, who would have been 79 that year.	13
Figure 2.6 1927 plan showing the 'Walhalla'	14
Figure 2.7 1943 aerial photograph showing the subject site.	15
Figure 2.8 1987 photograph of 288 Burns Bay Road	16
Figure 2.9 1987 photograph of Caroline Chisholm Nursing, Burns Bay Road, showing a section of the sandstone wall of the former 'Walhalla' that is a heritage item	16
Figure 2.10 1987 photograph of 274 Burns Bay Road, showing a section of the sandstone wall of the former 'Walhalla' that is a heritage item	17
Figure 3.1 the grand original entry to 40 Cope Street. This is not part of the heritage listing of the wall.	18
Figure 3.2 Entry gates posts marked 'Weetawaa', seen from Cope Street within the heritage listing.	18
Figure 3.3 The c1980 residential aged care building at the western end of the subject development site.	19
Figure 3.4 <i>Walhalla</i> .	19
Figure 3.5 the section of the sandstone wall along the western boundary of the subject site	20
Figure 3.6 the section of the sandstone wall by the south- western corner of the subject site	21
Figure 4.1: extract from the <i>Lane Cove Local Environmental Plan 2009</i> Heritage Map 001.	22
Figure 5.1: Proposed Burns Bay Road Elevation. (Source: Jackson Teece Architects)	24
Figure 5.2 Perspective rendering prepared by Jackson Teece	25
Figure 6.1 A section of the c1920s brick wall outside Monte Saint Angelo Convent at 128 Miller Street	27

1.0 Introduction

1.1 Background

This Heritage Impact Statement has been prepared for Retire Australia, to accompany an application for redevelopment within the Caroline Chisholm Nursing Home site at 40A Cope Street, Lane Cove. The statement follows the format of the Heritage NSW document, 'Statements of Heritage Impact'. The significant part of the site comprises an early twentieth-century sandstone retaining wall running along the western boundary of the site. This sandstone wall continues along Burns Bay Road in both directions and extend around other allotments.

The proposed redevelopment of the site is for multi-unit residential independent living units. The sandstone block retaining wall along the western part of the site would be carefully disassembled during construction works, and reassembled at the conclusion of works to the same design.

Details of the development proposal have been prepared by Jackson Teece Architects.

The subject sandstone wall is listed as an item of local heritage significance, as identified in Schedule 5 of the Lane Cove *Local Environmental Plan (LEP) 2009*.

Accordingly, this Heritage Impact Statement reviews the proposal in terms of the relevant heritage provisions of the *Lane Cove LEP 2009* and the requirements of the Lane Cove Development Control Plan (DCP) 2010, and the Impact Assessment Criteria guidelines endorsed by the NSW Heritage Council.

1.2 Methodology

This Heritage Impact Statement has been prepared in accordance with the guidelines set out in the *Australia ICOMOS Charter for Places of Cultural Significance*, 2013, known as The Burra Charter, and the New South Wales Heritage Office (now Heritage NSW) publication, NSW Heritage Manual.

The Burra Charter provides definitions for terms used in heritage conservation and proposes conservation processes and principles for the conservation of an item. The terminology used, particularly the words *place*, *cultural significance*, *fabric*, and *conservation*, is as defined in Article 1 of The Burra Charter. The NSW Heritage Manual explains and promotes the standardisation of heritage investigation, assessment and management practices in NSW.

1.3 Site Location

The site is located on the eastern side of Burns Bay Road, south of Cope Street, Lane Cove. The site extends through to Caroline Chisholm Lane as the eastern boundary. It is at 40A Cope Street, and was part of the Caroline Chisholm Nursing Home. The site can also be known as identified as 278 Burns Bay Road, combined with the allotment at 1 Caroline Chisholm Lane, which are Lot 120 in DP613223 and Lot 51 in DP862728 as recorded by the NSW Land Registry Services (LRS).

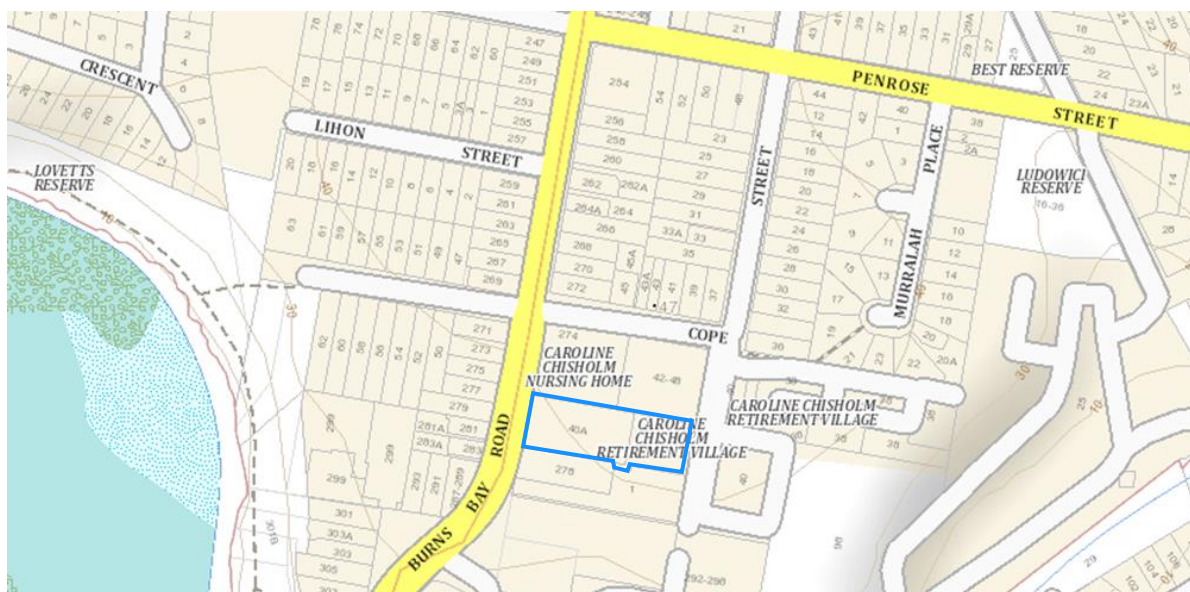


Figure 1.1 The site location is outlined in blue by Umwelt

Source: NSW Spatial Information Exchange (SIX Maps)

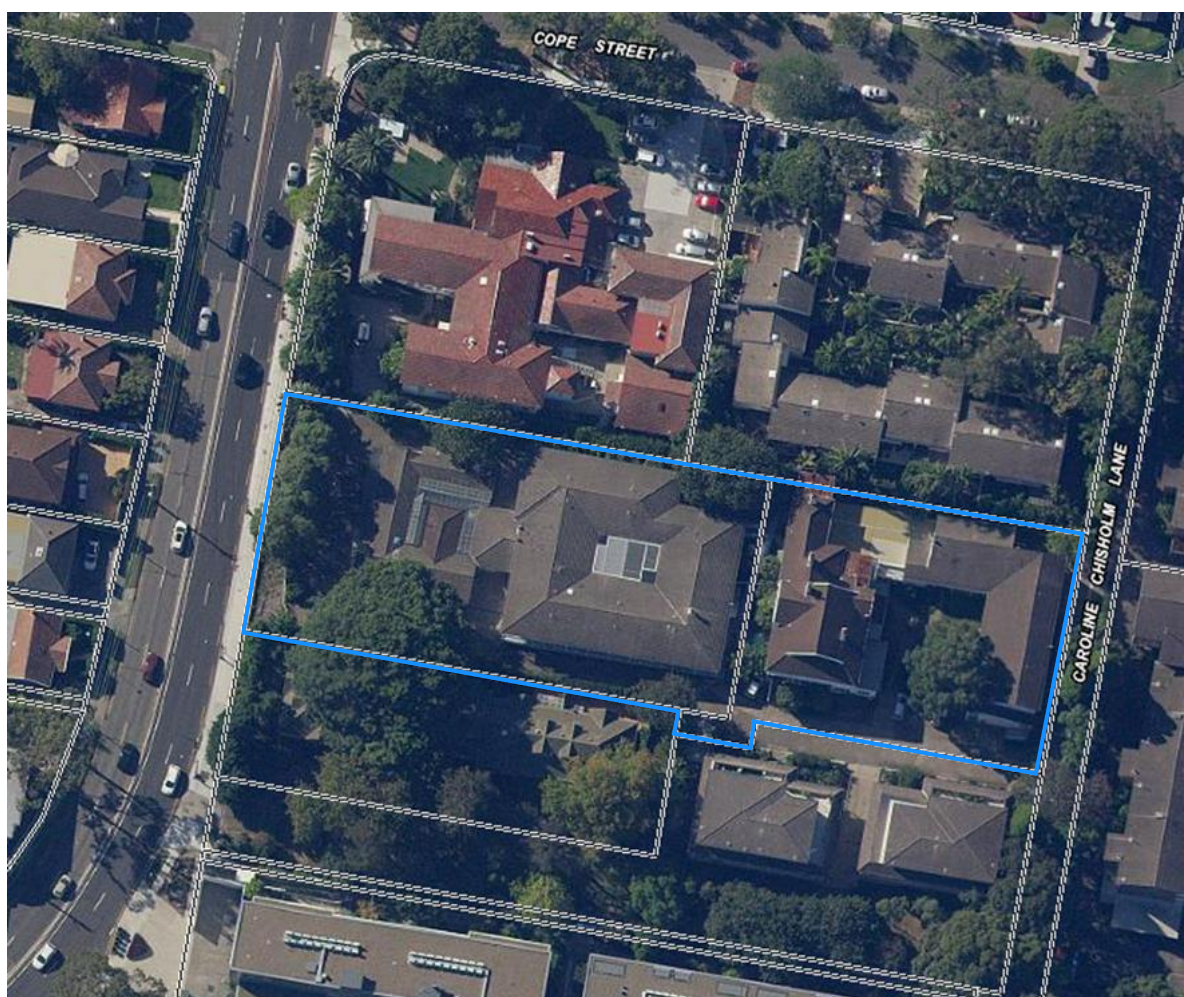


Figure 1.2 aerial photograph showing the subject site outlined in blue by Umwelt

Source: NSW Spatial Information Exchange (SIX Maps)

1.4 Authorship

This report was prepared by Brad Vale, Principal Heritage Consultant of Umwelt Australia using research and a history written by Dr Martina Muller, Historian, in a previous report for the site owner.

1.5 Limitations

This report is limited to the assessment of potential impacts on the European cultural heritage values of the site and does not include Aboriginal or detailed Archaeological assessment. This report only addresses the relevant planning provisions that relate to heritage.

1.6 Copyright

Copyright of original material in this report remains with Umwelt Australia Pty Ltd. Each photograph was taken by the author except where noted. The historical material about the site in this report was prepared by NBR Architecture for the site owner.

2.0 Documentary Evidence

This section is copied (with some additional material added) from the draft Statement of Heritage Impact for 40 Cope Street, Lane Cove, prepared by NBRS Architecture, dated 11 July 2018.

2.1 Pre-European History

The area of Lane Cove is the traditional land of the Cam-mer-ray-gal or Cameraygal people, one of seven clans of the wider Gamaragal people and their ancestors who inhabited the northern shores of Port Jackson, for thousands of years before colonisation by the British began in 1788.¹ The Cammeraygal made use of the rich natural resources offered by the land and its surrounding waters. The Aboriginal name for the Lane Cove River was Turrumburra.

2.2 Development of Lane Cove

The first use of the name 'Lane Cove' was recorded on 2 February 1788, when Lieutenant William Bradley sailed into the river and named it, possibly after John Lane, the son of the Lord Mayor of London, or Lieutenant Michael Lane, a cartographer who had worked with Captain James Cook.² It may have also been that the river mouth looked like a narrow laneway running north from the Parramatta River as an inlet or cove, however, there is no firm proof for any of the theories in relation to the origin of the name.

The first land grants were made in 1794, to 27 men from the New South Wales Corps and soon the slopes and gullies of the Lane Cove River gorge, which were densely covered with blue gum, stringybark, blackbutt, red mahogany and turpentine attracted timber-getters who provided the timber for Sydney's buildings. One of the earliest timber getters was William Henry whose leasehold covered much of the Linley Point area. Burns Bay Road was the original route along which his bullock carts dragged the timber. Sawpits were established at Woodford Bay, manned by the convicts held at a stockade on the eastern side of the bay.

Other early settlers, such as James Wiltshire and Isaac Nichols, established farms to grow wheat, while orcharding and dairying became the main rural industries in the district, established by men such as William Pendry and Elijah Charlish. Rupert Kirk established a soap and candle-making manufacture at his property 'Woodford Park' in the 1830s.

Other industries also made use of the natural resources in the district. John Charles Ludowici and Albert Radke established a tannery on Burns Bay in the 1858, resulting in the naming of the nearby Tannery Creek. Separating in 1861, the two men established separate tanneries on either side of the creek which continued to operate well into the mid-20th Century. The clays from the headwaters of Gore Creek were used by the Phoenix Pottery Company (1883) and the Sydney Pottery Company (1886), both of which produced traditional glazed teapots, Toby jugs and money boxes.

Access to the district was initially only by water, but the first successful ferry service to Sydney was only established in the 1850s, by Hunters Hill resident Didier Joubert. Tracks ran from the wharves and landing

¹ Currie, J., Bo-rā-ne Ya-goo-na Par-ry-boo-go, *Yesterday Today Tomorrow, An Aboriginal History of Willoughby*, 2008, p1; Farlow, M., Lane Cove, *Dictionary of Sydney*, 2011, http://dictionaryofsydney.org/entry/lane_cove (accessed July 2022)

² The following summary is based on Farlow, M., Lane Cove, *Dictionary of Sydney*, 2011, http://dictionaryofsydney.org/entry/lane_cove (accessed July 2022)

points on the bays up towards the ridges, connecting to what is now the Pacific Highway (original named Gordon Road or Lane Cove Road).



Figure 2.1 The dairy home of Elijah Charlish Jnr at 125 Centennial Avenue, corner of Barwon Road, Lane Cove West, photograph c1920s.

(Source: Lane Cove Library, Local History Collection, Photograph (LH L445) / Dorothy Dickson)



Figure 2.2 A view of the outside of the Radke tannery belt shop, undated photograph.

(Source: Lane Cove Library, Local History Collection, Photographs (LH L298B / Radke family)

In 1865, the municipality of North Willoughby was proclaimed and after a long campaign to have their own government, the Municipality of Lane Cove was established in 1895. Until then, the area of today's Lane Cove had been called Longueville, while the whole district was known as Lane Cove. This changed with the 1895 incorporation when the name 'Lane Cove' came to denote the area which is known as Lane Cove today.

By 1895, the Fig Tree Bridge (1885) was built between Linley Point and Hunters Hill, along with the Gladesville and Iron Cove bridges (1880s), the first road link between Lane Cove and the district to the south of the harbour had been created. Horse drawn vehicle transport operators began providing services from the 1870s, and the opening of the north shore rail line in 1890 provided additional connections. From 1909, the Lane Cove tram line operated between Crows Nest and Lane Cove, via Gore Hill.

Despite all the activity, the area remained largely undeveloped until the early 20th Century and retained a largely rural character that was sparsely populated. While early churches such as the Chatswood South Methodist Church (1871) and Lane Cove Congregational Church (1878) had been established, and a public school had been built in 1882, the 1901 Census only listed 301 dwellings and less than 2,000 residents.

Subdivision of the area only started in earnest after World War I, when extended tram services linked the area with Ryde and Hunters Hill and the Harbour Bridge improved access after 1932. The years after World War II resulted in rapid changes and increasing residential and industrial subdivision. Between 1962 and 1979, around 200 blocks of flats were constructed along the main roads near the Lane Cove village, however, the suburb has largely retained its single-house character in the surrounding areas.

2.3 History of the Subject Site

The subject site is located on two Crown Grants within Portion 153 made to George Woodcock on 1 September 1858, and is closely connected with the family of John Charles Ludowici, a tanner from Prussia who had started a tannery in Balmain with his partner Albert Radke and moved it to Burns Bay in Lane Cove in 1858.³ He lived at his residence 'Mountain View on Burns Bay Road with his family. His tannery, noted as the 'Pioneer tannery – J. C. Ludowici' was listed in the *Sydney Sands Directory* of 1894 on nearby Bridge Street, located adjacent to Albert Radke who was originally his business partner.⁴

³ Farlow, M., Lane Cove, Dictionary of Sydney, 2011, http://dictionaryofsydney.org/entry/lane_cove

⁴ City of Sydney Archives, Sydney Sands Directory, 1894



Figure 2.3 Front garden of 'Mountain View', the family home of John Charles Ludowici, on the corner of Burns Bay Road and Bridge Street, Lane Cove, undated photograph c1910. This was located to the north of the subject site.

(Source: Lane Cove Library, Local History Collection, Papers/Ludowici and Sons)

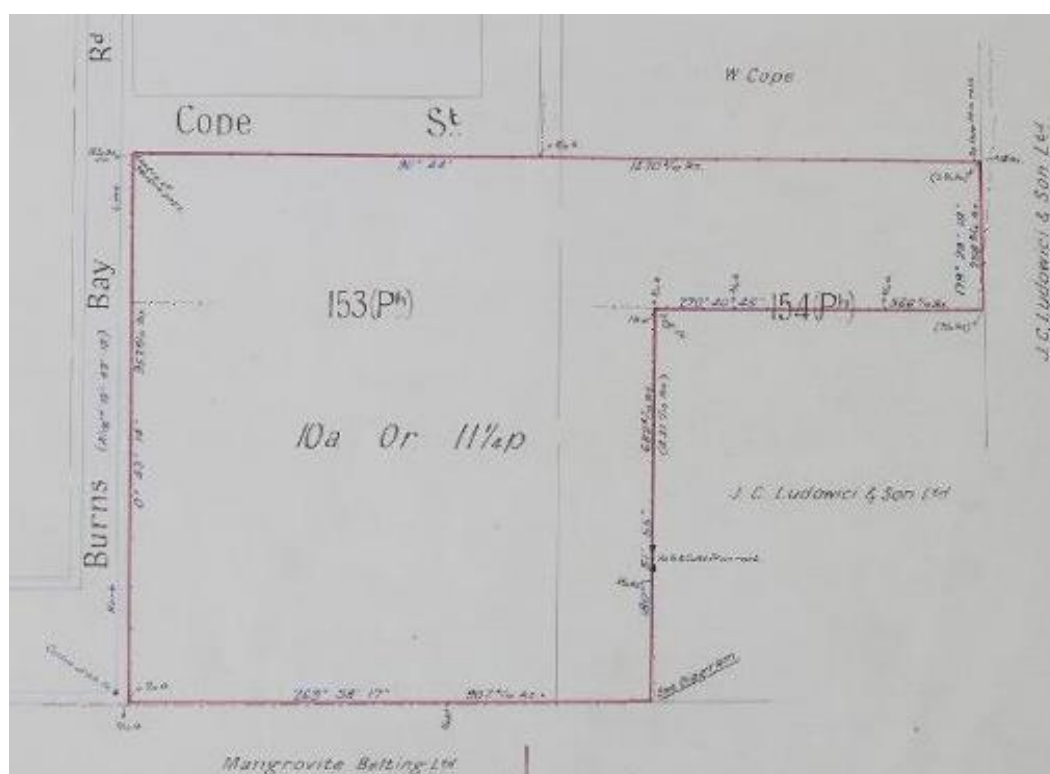


Figure 2.4 Block plan contained in the Certificate of Title issued to Charles Ludowici in 1921, showing that his 'Walhalla' property was located adjacent to the north of his Mangrovite Belting company and adjacent to the northwest of his father's tannery known as J.C.Ludowici & Son Ltd.

(Source: NSW LRS, CT Vol 3206 Fol 90)

In c1893, John Charles Ludowici's son Charles Ludowici bought a large parcel of land adjacent to the south, at the corner of Burns Bay Road and Cope Street, and built a residence on his land which today forms part of the subject site.⁵ While Charles Ludowici was noted adjacent to his father from 1893, his home was listed for the first time under its name, 'Walhalla', in the *Sydney Sands Directory* of 1895.⁶ It is likely that the residence was built by 1893. A block plan included in a new Certificate of Title issued to Charles Ludowici in 1921, when the property came under Torrens Title, shows that his land was located adjacent to the north of the Mangrovite Belting Ltd site and adjacent to the west of J. C. Ludowici & Son Ltd.⁷

Charles Ludowici was the founder and managing director of Mangrovite Belting Ltd., as well as the chairman of directors of the Australian Wood Pipe Co., a prominent member of the Chamber of Manufacturers and a foundation member of the N.R.M.A.⁸ He was married to Ada who died at 'Walhalla' in May 1932, survived by her husband Charles, three daughters and five sons, most of whom had been born at 'Walhalla'.⁹



Figure 2.5 Norman Carter was an Archibald Prize finalist in 1944 with his portrait of Charles Ludowici, who would have been 79 that year.

(Source: NSW Art Gallery, 'Prizes – Archibald', <https://www.artgallery.nsw.gov.au/prizes/archibald/1944/15192>)

⁵ See Hall Prior Website, 'A Home Full of Heritage', <https://hallprior.com.au/news/2017/11/a-home-full-of-heritage>

⁶ City of Sydney Archives, Sydney Sands Directory, 1895

⁷ NSW LRS, CT Vol 3206 Fol 90

⁸ Mrs Ada Ludowici, *Sydney Morning Herald*, 25 May 1932, p16; Mr Charles Ludowici, Sunday Times, 1 February 1925, p11

⁹ Mrs Ada Ludowici, *Sydney Morning Herald*, 25 May 1932, p16. Various newspaper articles noted the birth of children at 'Walhalla' during the 1890s.

By the 1930s, Charles Ludowici had transferred the north-western corner of his property to his son, Henry John Ludowici, who was noted as a 'belt maker' in the transfer document dated 8 May 1923.¹⁰ Henry John Ludowici erected a house on his land, naming it 'Weetawaa'. This later became part of the Caroline Chisholm Aged Care Home from 1967, after a succession of transfers from 1954 onwards.¹¹

In 1927, Charles Ludowici subdivided his land again, transferring a portion to his son Frank Herbert Ludowici and another one to Mangrovite Belting Ltd in February and March 1927, respectively.¹²

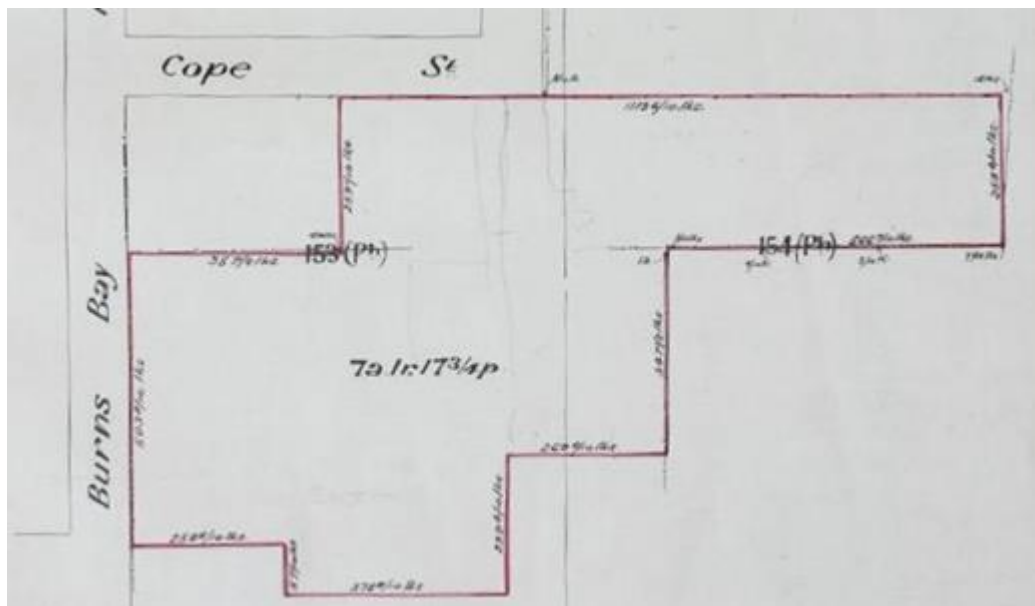


Figure 2.6 1927 plan showing the 'Walhalla' property after the various 1920s transfers from Charles Ludowici to his sons and his company.

(Source: NSW LRS, CT Vol 4002 Fol 107)

In 1934 and 1939, respectively, further portions were transferred to Frank Herbert Ludowici.¹³ An aerial view shows the 'Walhalla' property and the adjacent 'Weetawaa' in 1943.

Charles Ludowici remained at 'Walhalla' until at least 1948, when he was in his mid-eighties and looking for a cook and housekeeper.¹⁴ In July 1949, he transferred another portion to Mangrovite Belting Ltd,¹⁵ however, in August 1950, the residue of 'Walhalla' was transferred as a whole to Henry John, Frank Herbert and Reginald Edward Ludowici.¹⁶

¹⁰ NSW LRS, CT Vol 3449 Fol 142

¹¹ Hall Prior Website, 'A Home Full of Heritage', <https://hallprior.com.au/news/2017/11/a-home-full-of-heritage>

¹² NSW LRS, CT Vol 3458 Fol 36

¹³ NSW LRS, CT Vol 4002 Fol 107. The new title certificates issued to Frank Herbert Ludowici were Vol 4675 Fol 155 and Vol 5055 Fol 36

¹⁴ Advertising, Sydney Morning Herald, 27 July 1948, p11

¹⁵ NSW LRS, CT Vol 4002 Fol 107. The new title certificate issued was 6144 Fol 211

¹⁶ NSW LRS, CT Vol 4002 Fol 107



Figure 2.7 1943 aerial photograph showing the subject site shaded red, containing Charles Ludowici's 'Walhalla' on the remaining portion of land, with Henry John Ludowici's 'Weetawaa' located to the north.

(Source: NSW LRS, SIX Maps, 1943 aerial imagery, as marked up by NBRS Architecture)

The Ludowici brothers subsequently subdivided the property again, transferring several portions to Philip Lawrence Kenneth Addison, medical practitioner from Bondi Junction on 16 January 1952¹⁷ and 27 January 1956.¹⁷

Addison subdivided the site again on 24 September 1959, selling a portion to the Mangrovite Belting Ltd and retaining a portion for himself.¹⁸ This was subsequently transferred to Aubury Pty Ltd on 23 October 1964 and to Caroline Chisholm Village Pty Ltd on 19 August 1977. A new Certificate of Title was issued on 2 July 1981.¹⁹ 'Walhalla' and its remaining grounds were subsequently redeveloped as the Caroline Chisholm Retirement Village, as a separate business entity to the adjacent Caroline Chisholm Aged Care Home which incorporated 'Weetawaa'.²⁰

The remnant stone walls to the street frontages of the former 'Walhalla' were listed as a local heritage item on 19 February 2010.²¹ The Caroline Chisholm Retirement Village was sold on 13 April 2018.²²

¹⁷ NSW LRS, CT Vol 9251 Fol 48

¹⁸ NSW LRS, CT Vol 7770 Fol 131

¹⁹ This was NSW LRS, CT Vol 14465 Fols 123 and 125 (Lot M)

²⁰ Hall Prior Website, 'A Home Full of Heritage', <https://hallprior.com.au/news/2017/11/a-home-full-of-herita>

²¹ NSW Heritage Inventory, Online Database, 'Stone Walls to Street Frontages', Database Entry No. 1920048

²² Colliers International, <http://www.colliers.com.au/31032>



Figure 2.8 1987 photograph of 288 Burns Bay Road, showing a section of the sandstone wall that is a heritage item

Source: Lane Cove Library. Local studies Section. Lane Cove Library. Local studies Section.



Figure 2.9 1987 photograph of Caroline Chisholm Nursing, Burns Bay Road, showing a section of the sandstone wall of the former 'Walhalla' that is a heritage item

Source: Lane Cove Library. Local studies Section. Lane Cove Library. Local studies Section.



Figure 2.10 1987 photograph of 274 Burns Bay Road, showing a section of the sandstone wall of the former 'Walhalla' that is a heritage item

Source: Lane Cove Library. Local studies Section. Lane Cove Library. Local studies Section.

The State Heritage Inventory notes that a row of oaks to Burns Bay Road were planted by Ludowici to replace earlier figs which he cut down during the war to be made up as ammunition boxes. There are no remaining oak trees in the vicinity of the sandstone retaining walls.

3.0 Physical Evidence

3.1 Site Context

The subject site is set back south from Cope Street, behind other allotments. It is bound on the western side by Burns Bay Road, and the eastern boundary is Caroline Chisholm Lane, which extends south from Cope Street, further north towards the sandstone wall listed as a heritage item. The topography of the wider site slopes down towards the south. The western end of the subject site falls towards the west.



Figure 3.1 the grand original entry to 40 Cope Street. This is not part of the heritage listing of the wall.



Figure 3.2 Entry gates posts marked 'Weetawaa', seen from Cope Street within the heritage listing.



Figure 3.3 The c1980 residential aged care building at the western end of the subject development site.



Figure 3.4 The highly altered building in the central-western part of the development site that was *Walhalla*.

3.2 Description of the Significant Wall and Site

The sandstone wall of the heritage item is constructed of rock-faced coursed ashlar with slightly wider capping stones. There are several gate posts at the early twentieth-century entry points. Some 1920s style wrought iron gates remain within heritage item, but not on the subject site. The stone is laid within regular courses, though not every stone is the full height of the course; so many stones are smaller but fill a taller course, each of which is a regular height. The cap stones also have a rock-faced texture.

None of the gates or gate posts are part of the subject site.

The sandstone wall is in fair condition. The most obvious defect is a section near the western end of Cope Street where a large section of the wall is tilting north towards the street. This is outside the subject site. This section of the wall is held together with a very soft lime mortar that has eroded. Other sections of the wall have been repointed with lime-cement mortar and have weathered more favourably.



Figure 3.5 the section of the sandstone wall along the western boundary of the subject site, facing Burns Bay Road.



Figure 3.6 the section of the sandstone wall by the south- western corner of the subject site, facing Burns Bay Road

3.3 Views

Primary views of the heritage item are available from Burns Bay Road, from Cope Street and from private property. However, views towards the heritage item on the boundary of the subject site are only from Burns Bay Road. The sandstone wall extends along the western site boundary and is visible more clearly from the street and its pedestrian pathway.

Due to the rise of the land to the east from Burns Bay Road, the wall that is a heritage item is not readily apparent within the subject site.

4.0 Statutory Heritage Status

4.1 Heritage Status

The subject site has a retaining wall along the western boundary that is listed as part of an item of local heritage significance on Schedule 5 of the Lane Cove *Local Environmental Plan (LEP) 2009* as 'Stone walls to road frontages', heritage Item number I158.

Other heritage listed items are distant from the subject site.

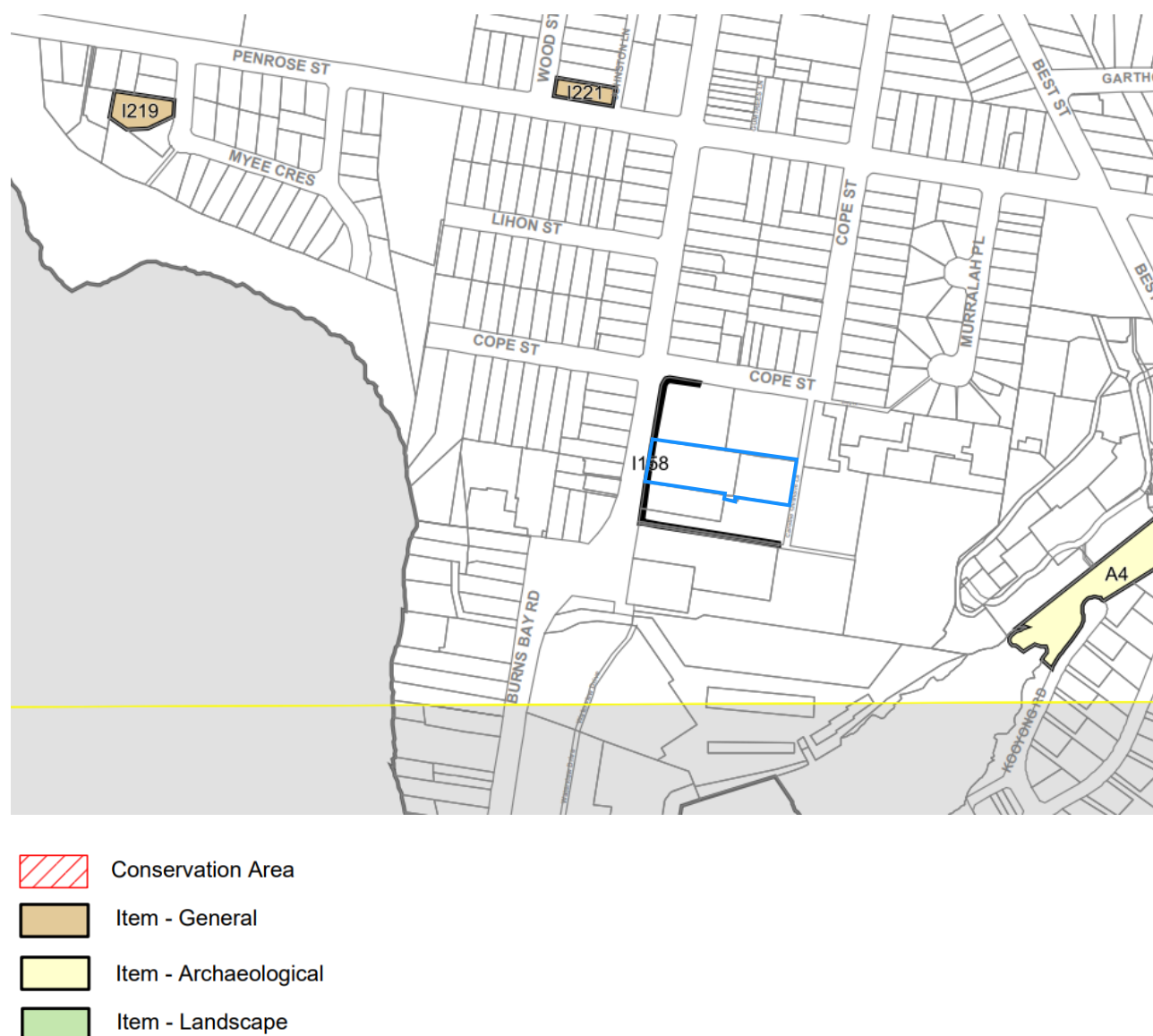


Figure 4.1: extract from the *Lane Cove Local Environmental Plan 2009* Heritage Map 001, showing the heritage item marked with a heavy black line, heritage item I158. The subject site is outlined in blue by Umwelt.

4.2 Significance of the Subject Site

The following Statement of Significance for the 'Stone walls to road frontages', is sourced from the NSW Heritage Database, reference number 1920048:

Remnant stone wall and planting from the home of Charles Ludowici, the industrialist.

It is worth noting that the wall is a retaining wall constructed of rock-faced coursed ashlar in the early twentieth century, likely the late 1920s. The top course of ashlar is shaped to support a capping stone that is parallel with the ground.

5.0 The Proposal

The proposed redevelopment, designed by Jackson Teece Architects, would demolish the existing buildings on the subject site that includes Lot 120 in DP613223 and Lot 51 in DP862728. The site would be excavated to enable the footings and construction of the basement car parking level. The development would construct two residential aged care buildings, Buildings A and B, each set over one car parking level in common to each building. Buildings A and B would each have six habitable storeys over the carpark.

The new development would be constructed of reinforced concrete structure and masonry walls. The western elevation that would be seen over the heritage listed sandstone wall is mostly made up of balconies. The balconies would be screened with metal shade devices. The roofs would be flat and include an outdoor communal space.

Building A, which would be closest to the sandstone wall heritage item, is compliant with the building height control of 21.8m above the natural ground plane.

The sandstone retaining wall would be impacted by removing a section of the wall approximately 8.5m long to enable the substation to be positioned where it can be accessed for maintenance. The stone to be removed will be salvaged and reused on a low-height wall nearby. The relocated stones will be bonded with lime-cement mortar so that they can be restored to their original location if circumstances change to enable this to happen. No original sculpted stone is expected to be lost from the site.

For a period during construction works, it is also proposed to disassemble most of the brick wall on the western boundary of the subject site to enable trucks to load and unload from Burns Bay Road. Each stone would be numbered, stored safely, and reassembled with lime mortar on a solid footing at completion.



Figure 5.1: Proposed Burns Bay Road Elevation. (Source: Jackson Teece Architects)



Figure 5.2 Perspective rendering prepared by Jackson Teece showing the sandstone retaining wall adjusted to fit around the substation.

5.1 Documentation Evaluated

The following drawings by Jackson Teece Architects, were reviewed in the preparation of this report:

DRAWING NO.	DRAWING TILE	ISSUE	DATE
DA-003	Site Analysis	DA	15.08.2022
DA-160	Site Plan	DA	15.08.2022
DA-101	Basement 1	DA	15.08.2022
DA-102	Lower Ground Floor Plan -	DA	15.08.2022
DA-103	Floor Plan – Ground Level	DA	15.08.2022
DA-104	Floor Plan – First level	DA	15.08.2022
DA-106	Floor Plan - Second Level	DA	15.08.2022
DA-107	Floor Plan – Third and Fourth Level	DA	15.08.2022
DA-109	Floor Plan – Top Terraces	DA	15.08.2022
DA-300	Elections – North and East	DA	15.08.2022
DA-301	Elevations – South and West	DA	15.08.2022
DA-400	Sections -01	DA	15.08.2022
DA-401	Sections -02	DA	15.08.2022

6.0 Assessment of Heritage Impact

6.1 Introduction

This Heritage Impact Statement has been prepared in response to the impact assessment criteria in the following documents: the *Lane Cove Local Environmental Plan (LEP) 2009*, the *Lane Cove Development Control Plan (DCP) 2010* and the NSW Heritage Division guidelines, *Altering Heritage Assets and Statements of Heritage Impact*, contained within the NSW Heritage Manual.

6.2 Evaluation of the Guidelines of the NSW Heritage Division

The following assessment is based on the assessment criteria set out in the Heritage Division publication, 'Statements of Heritage Impact', contained within the NSW Heritage Manual. The standard format has been adapted to suit the circumstances of this application.

The following aspects of the proposal respect or enhance the heritage significance of the item or conservation area for the following reasons:

- Most of the heritage item (the sandstone wall) would be retained and conserved for the long term.
- The integration of the heritage item in the designed work will protect it in the long term and provide for its maintenance.

The following aspects of the proposal could detrimentally impact on heritage significance. The reasons are explained as well as the measures to be taken to minimise impacts:

- A section of the wall approximately 8.5m long would be removed to enable the substation to be located where it can be maintained appropriately. This represents less than a quarter of the length of the heritage item wall on this site. The heritage item is much larger and extends over other allotments. This change would be mitigated by reusing all the disassembled stone on site nearby in public view for a similar retaining wall.
- The remaining wall on the subject site would be disassembled during construction works. Each stone will be numbered and stored securely. After the bulk building works are completed, a new footing will be laid, and the wall would be reassembled and bonded with lime mortar to the same design, apart from the above adjustment.



Figure 6.1 A section of the c1920s brick wall outside Monte Saint Angelo Convent at 128 Miller Street, North Sydney was disassembled for three months in 2023 during adjacent building works, and then reconstructed with a fine result.

6.2.1 New Development Adjacent to a Heritage Item (Including Additional Buildings and Dual Occupancies)

- *How is the impact of the new development of the heritage significance of the item or area to be minimised?*
- *Why is the new development required to be adjacent to heritage item?*
- *How does the curtilage allowed around the heritage item contribute to the retention of its heritage significance?*
- *How does the new development affect views to, and from, the heritage item? What has been done to minimise negative effects?*
- *Is the development sited on any known, or potentially significant archaeological deposits? If so, have alternative sites been considered? Why were they rejected?*
- *Is the new development sympathetic to the heritage item? In what way (eg form, siting, proportions, design)?*
- *Will the additions visually dominate the heritage item? How has this been minimised?*
- *Will the public, and users of the item, still be able to view and appreciate its significance?*

Comment:

The proposed redevelopment of the site for aged care and independent living units would place a six-storey development in view from Burns Bay Road, seen above the sandstone that is a local heritage item. The heritage item is only the boundary wall, so the land proposed for residential aged care is not a heritage item. The redevelopment of the new building would keep itself distinct and sufficiently distant from the sandstone heritage item, by using a different palette of materials, including mottled dark face brick, concrete painted a dark colour, aluminium shade devices and dark metal framing for the fenestration. The new building as seen from Burns Bay Road will have mixed horizontal and vertical emphases; the sunshade

devices have some vertical emphasis, softened by the curve in plan that avoids a sharp corner at the south-west of the new building. The balconies facing Burns Bay Road have some horizontal emphasis.

This will ensure that the 1920s sandstone of the heritage item will be clearly interpreted as of its time, and the new building will be understood to be contemporary, as the various buildings on this site have since the late 1920s.

6.2.2 New Landscape Works and Features (Including Carparks and Fences)

- *How has the impact of the new work on the heritage significance of the existing landscape been minimised?*
- *Has evidence (archival and physical) of previous landscape work been investigated? Are previous works being reinstated?*
- *Has the advice of a consultant skilled in the conservation of heritage landscapes been sought? If so, have their recommendations been implemented?*
- *Are any known or potential archaeological deposits affected by the landscape works? If so, what alternatives have been considered?*
- *How does the work impact on views to, and from, adjacent heritage items?*

Comment:

All of the stones to be removed permanently from the heritage wall will be reused on site nearby in a similar wall around the substation. The stones will be mortared with lime-cement mortar, a little softer than the stone. A mortar mix similar to 9 sand, 2 lime, 1 cement is likely to be appropriate. In this design, all the stones will remain on site nearby in public display. Additional stones may be needed to complete the work as designed. Any new stones would be of a similar natural colour and texture as the original, but a subtle difference in texture and cutting systems that is noticeable on close inspection would be appropriate so there is evidence for the change.

The project architects have sought built heritage advice from Umwelt.

The heritage wall was likely constructed in the late 1920s. It is likely to be the first structure on its boundary site. Excavation for footings and fill would likely have disturbed the site to prevent it containing stratified archaeological deposits. The site history indicates that the subject site has little archaeological potential to answer questions that already answered in the documentary record.

The works to disassemble the wall along the subject site during construction, and then rebuild it mostly in its original location are discussed in section 5.0. This would have negligible adverse heritage impact on the heritage item.

The landscape design by Sturt Noble provides a garden setting close to the stone retaining wall that is aesthetically appropriate and complements the heritage significance of the wall.

6.2.3 Tree Removal or Replacement

No trees with identified cultural heritage value would be removed as part of the redevelopment. Minor changes would be undertaken to the garden and landscaping along Caroline Chisholm Lane, but this area is outside the heritage item and is of such a minor nature that it will not have an adverse amenity impact on the wider landscape.

6.3 Heritage Objectives of the Lane Cove LEP 2009

The proposed development is acceptable, from a heritage perspective, for the following reasons:

- Retains most of the fabric of the heritage item in situ within the subject site.
- All of the fabric of the heritage item sandstone wall on the subject site will be retained on the site.
- There will be a limited adverse impact on the established heritage significance of the sandstone wall. This impact will of course be mitigated by the retention of all the sandstone on the site for a similar purpose, with a similar aesthetic effect.
- There will be little change to the public appreciation or interpretation of the sandstone wall as seen from Burns Bay Road and Cope Street.

The proposal is sufficiently consistent with the relevant heritage objectives of the *Lane Cove LEP 2009*, which are:

5.10 Heritage conservation

(1) Objectives

The objectives of this clause are as follows:

(a) to conserve the environmental heritage of Lane Cove,

(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,

6.4 Heritage Guidelines of the Lane Cove DCP 2009

The Lane Cove DCP 2010 supports the *Lane Cove LEP 2009* by providing additional objectives and development standards for heritage items.

6.4.1 General Heritage Provisions

The proposed development is generally consistent with the objectives of the Lane Cove DCP 2010 that relate to heritage and are set out in the following DCP Sections.

9.1 Heritage Items and the Conservation Area

a) Ensure that new additions to heritage buildings are appropriate to the scale of the heritage item.

Any alterations or additions to heritage buildings should be clearly discernible from the heritage fabric.

Photographic records of all heritage listed items to be demolished or to be changed is to be undertaken prior to release of the construction certificate.

A Heritage Impact Statement is to be prepared as part of any DA for a Heritage item or a site in the Greenwich Heritage Conservation Area.

Comment

The new aged care residential buildings will have no adverse impact on the setting of the sandstone wall. Residential building is an appropriate use for the site bound by these sandstone walls. The scale of the residential buildings is within an acceptable proportion relative to the scale of the sandstone wall.

The permanent change to the wall will reuse all the relocated stone. The change to the wall will be constructed with some new stone that will likely be observable as new upon close inspection.

The temporary change to the sandstone wall during construction will have negligible adverse heritage impact because the wall will be reassembled to its original design using much the same mortar as exists. There would be no need for this short-term change process to be permanently obvious.

This report contains an adequate photographic record of the section of the sandstone wall within the development site.

9.2 Adaptive reuse of heritage items

a) A conservation architect is to be part of the design team for any Development Application (DA) for the adaptive re-use, additions and/or alterations to a heritage item.

Comment

The built heritage expertise of Umwelt is part of the design team for this development affecting the sandstone retaining wall, which is a heritage item, on the western side of the subject development site.

9.3 Development in the vicinity of heritage items

a) A Heritage Impact Statement is to be prepared as part of any DA for development “in the vicinity of a heritage item”. “In the vicinity of a heritage item” is to be interpreted as meaning “adjacent to or adjoining” that item.

Comment

The new residential aged care buildings proposed for this site would be in a proportional scale with the sandstone retaining wall. The six visible storeys of the new building would be seen over the

wall and the new building would have a character that is enhanced by the colour and texture of the sandstone retaining wall. The retaining wall would continue to fulfill its purpose as a boundary marker, structural landscape element and a significant streetscape element that provides evidence for the grandly scaled houses formerly behind the wall.

The clearly contemporary character of the development will ensure that the early twentieth-century character of the retaining wall remains clear, while the heritage item continues to fulfill its original purpose.

7.0 Recommendations and Conclusion

7.1 Recommendations

To mitigate any potentially adverse impacts from the proposal, we recommend:

R1 – that the stones from the section of the sandstone wall needed to be disassembled during the construction work be numbered, stored securely, then reassembled in the same design on a reinforced concrete footing to the engineer's design, and rebounded using lime-cement mortar.

R2 – the stones from the section of sandstone wall to be removed permanently should be placed together in the new wall with the same character, as designed. New stones, as required to complete the low-height walls near the western boundary as designed, should be selected for a matching colour. New stones should have a similar texture, but be recognisable as different upon close inspection.

R3 – the lime-cement mortar used to repair and rebuild the sandstone walls should be a little softer than the existing sandstone.

7.2 Conclusion

The proposed redevelopment of the nursing home at 40A Cope Street, Lane Cove, will have an acceptable impact on the heritage significance of the sandstone retaining wall along the western boundary, which is a local heritage item.

The design of the site redevelopment would keep more than three-quarters of the length of the sandstone wall in situ within the subject property, which is a small part of the whole heritage item. The minority section that would be moved permanently to allow for the substation would be disassembled, and reassembled in a new wall nearby that will serve the same purpose. All the stones in the wall will remain on site and be used for their traditional purpose. New stone to complete the low-height retaining walls in the design will be similar to existing. The bulk of the remaining sandstone wall along the western boundary of the site will be disassembled during the works, and reassembled to the same design towards the end of the development works.

The existing views towards the heritage item within the site will be retained and conserved as part of a longer wall extending across other allotments. The streetscape value of the sandstone retaining wall will be retained.

The proposed development including adjustment to the local heritage item are generally consistent with the heritage objectives of the *Lane Cove LEP 2009* and the Lane Cove DCP 2010. I commend the heritage aspects of the design to Lane Cove Council.

Yours sincerely

Umwelt Australia

A handwritten signature in black ink, appearing to read 'Brad Vale'.

Brad Vale

Principal Heritage Consultant,

E | bvale@umwelt.com.au

M | 0477 989 950

Level 11, 213 Miller Street, North Sydney

